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BREESE
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Attorney Docket No: 19904-002 (BREESE-2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Piechaczyk and Noel

SERIAL NUMBER: 09/341,894

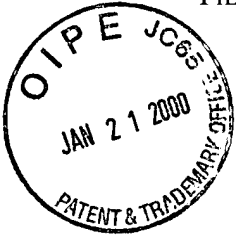
ASSIGNEE: CENTRE NATIONAL DE LA RECHERCHE SCIENTIFIQUE

FILING DATE: January 16, 1998

FEB 8 2000

TECH CENTER 1600/2900

FOR: BIOLOGICAL MATERIAL FOR TREATING A MAMMAL BY ANTIBODY
GENE TRANSFER AND PHARMACEUTICAL COMPOSITION CONTAINING
SAME



January 21, 2000
Boston, Massachusetts

Box IDS

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

- ☒ Information Disclosure Statement [3 pp.];
- ☒ Modified Form 1449/PTO, in duplicate [1 pg.];
- ☒ Copies of cited references: [B1-B2; C1-C6]; and
- ☒ Return Postcard.

Although Applicants believe that no additional fees are due in connection with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311 (Reference No. 19904-002; BREESE-2). A duplicate copy of this transmittal letter is enclosed.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts.

Respectfully submitted,

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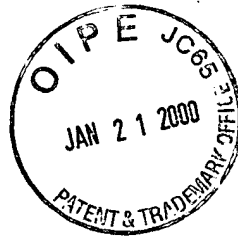
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INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed below and on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

Foreign Patent Documents:

<u>Patent/Publication No.</u>	<u>Name of Patentee(s) or Applicant(s)</u>	<u>Date of Publication</u>
WO 90/06997	Anderson, <i>et al.</i>	06.28/90
2 706 486	Rhone-Poulenc Rorer S.A.	12/23/94

Other Prior Art – Non Patent Literature Documents:

Fenjves, *et al.*, *Human Gene Ther.* 5(10):1241-1248 (1994).
Kato, *et al.*, *Proc. Nat. Acad. Sci. U.S.A.* 93(17): 9085-9089 (1996).
Noel, *et al.*, *J. Immunol. Meth.* 193(2): 177-187 (1996).
Beerli, *et al.*, *J. Biol. Chem.* 269(39):23931-23936 (1994).
Ager, *et al.*, *Hum. Gene Ther.* 7(17):2157-2164 (1996).
Noel, *et al.*, *Hum. Gene Ther.* 8(10):1219-1229 (1997).

This Information Disclosure Statement is being been filed:

- ☐ within three months of the filing date of the National Application;
- ☒ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International Application; or
- ☐ before the mailing date of a first Office Action on the merits in the above-identified case.

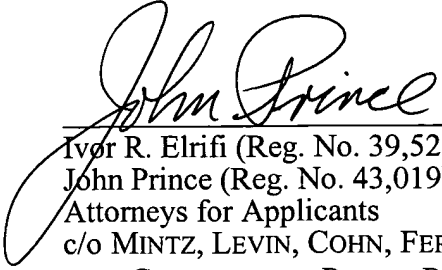
Accordingly, no fee or certification is required. 37 C.F.R. §1.97.

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached modified Form PTO-1449. It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed modified Form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any fees that may be due to Deposit Account No. 50-0311 (Reference No. 19940-002; BREESE-2).

Respectfully submitted,


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Dated: January 21, 2000

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